

to D.C. through Louisiana HonorAir to visit the National World War II Memorial. Louisiana HonorAir's mission is to provide every World War II veteran who is physically able to travel the opportunity to view the World War II Memorial for the first time. World War II veterans are granted a charter flight from Louisiana to Washington, D.C., for a day-long, all-expenses-paid-trip to visit the National World War II Memorial, the Marine Corps Memorial, the Iwo Jima Memorial and other memorials and to lay a wreath at the Tomb of the Unknown Soldier. The World War II Memorial was dedicated in 2004 for a generation whose youngest members are in their late seventies. Therefore, many of the men and women who fought and sacrificed for our country have not had the opportunity or ability to visit. Sadly, a few of the World War II veterans scheduled to go on the October 24 flight passed away or became too ill to travel and were, therefore, unable to be properly honored for their tremendous sacrifices.

As Louisiana HonorAir prepares to fly its final flight on April 10, 2010, I am proud that these last three fall flights were out of New Orleans, Louisiana, home to the National World War II Museum. Mr. Speaker, I had the great opportunity to welcome home several members of the veterans community on their flights back from Washington, D.C., 3 weeks ago, and I have to say that from the receptions that I have received and from the faces of the many members who came back from Washington, D.C., on that HonorAir flight, they were very grateful and honored to be able to participate in the program. Under the leadership of T.D. Smith, the Louisiana HonorAir reminds our Nation's World War II veterans how indebted we are to them for their service. As the son of a war veteran, I consider it a personal honor to sponsor this legislation, and I strongly urge my colleagues to vote in favor of House Resolution 828.

Mr. BOUSTANY. Mr. Speaker, I strongly support our Armed Forces and veterans and fully realize the debt of gratitude that our nation owes the men and women who defend our country. Mindful of this commitment, I thank the World War II veterans for their commitment and unselfish service to America. I would especially like to thank the Louisiana HonorAir organization for their hard work and dedication to these veterans and recognize October 24, 2009 as "Louisiana HonorAir Day."

In 2007, Louisiana HonorAir began flying WWII veterans three hours on a chartered flight from Louisiana to our nation's Capital free of charge. In Washington, D.C., the groups toured the WWII Memorial, Korean Memorial and Vietnam Memorial and attended wreath laying ceremonies at the Tomb of the Unknown Soldier at Arlington National Cemetery. Then, as quickly as they came, the groups returned home to a hero's welcome in Louisiana where family and friends gathered to show their appreciation one more time. For many veterans, it was their first time to tour the WWII Memorial because of its recent con-

struction, while for others it was their only chance to see these sights dedicated to the great service they provided to our nation.

Having met many of these groups in Washington, I continue to be awestruck by the reactions of these brave men and women who stood up to tyranny in Europe and Asia. Many rarely talk about their service, instead, looking to happier times. However, in the company of others who nobly served, they are able to frankly discuss their experiences, share tearful stories and remember comrades missing or killed in action. I am grateful to have worked with Louisiana HonorAir and I salute them, as well as the courageous men and women who stood to protect America.

Today, I ask my colleagues to join me in remembering the brave men and women who defended America and in commending Louisiana HonorAir by recognizing October 24, 2009 as "Louisiana HonorAir Day."

Mr. STEARNS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

#### GENERAL LEAVE

Mr. WALZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 828.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. WALZ. Mr. Speaker, I want to thank the gentleman from New Orleans and urge my colleagues to unanimously support this important resolution, H. Res. 828.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and agree to the resolution, H. Res. 828.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### VETERANS' SMALL BUSINESS ASSISTANCE AND SERVICEMEMBERS PROTECTION ACT OF 2009

Mr. WALZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3949) to amend title 38, United States Code, and the Servicemembers Civil Relief Act, to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3949

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Small Business Assistance and Servicemembers Protection Act of 2009".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

#### TITLE I—SMALL BUSINESS AND EDUCATION MATTERS

Sec. 101. Clarification of responsibility of Secretary of Veterans Affairs to verify small business ownership.

Sec. 102. Reauthorization of Veterans' Advisory Committee on Education.

#### TITLE II—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS

Sec. 201. Termination of service contracts.

Sec. 202. Residential and motor vehicle leases.

Sec. 203. Enforcement by the Attorney General and by private right of action.

#### TITLE III—OTHER BENEFITS MATTERS

Sec. 301. Improvement of outreach activities within Department of Veterans Affairs.

Sec. 302. Visual impairment and orientation and mobility professionals education assistance program.

Sec. 303. Interment in national cemeteries of parents of certain deceased veterans.

#### SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### TITLE I—SMALL BUSINESS AND EDUCATION MATTERS

##### SEC. 101. CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.

(a) SHORT TITLE.—This section may be cited as the "Veterans Small Business Verification Act".

(b) CLARIFICATION OF RESPONSIBILITY OF SECRETARY OF VETERANS AFFAIRS TO VERIFY SMALL BUSINESS OWNERSHIP.—

(1) CLARIFICATION.—Section 8127(f) is amended—

(A) in paragraph (2)—

(i) by inserting "(A)" before "To be eligible";

(ii) by inserting after "or the veteran." the following new sentence: "Application for inclusion in the database shall constitute permission under section 552a of title 5 (commonly referred to as the Privacy Act) for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application."; and

(iii) by inserting after the sentence added by subparagraph (B) the following new subparagraph:

"(B) If the Secretary receives an application for inclusion in the database from an individual whose status as a veteran cannot be verified because the Secretary does not maintain information with respect to the veteran status of the individual, the Secretary may not include the small business concern owned or controlled by the individual in the database maintained by the Secretary until the Secretary receives such information as may be necessary to verify that the individual is a veteran."; and

(B) by striking paragraph (4) and inserting the following new paragraph (4):

"(4) No small business concern may be listed in the database until the Secretary has verified that—

“(A) the small business concern is owned and controlled by veterans; and

“(B) in the case of a small business concern for which the person who owns or controls the concern indicates that the person is a veteran with a service-connected disability, that the person is a veteran with a service-connected disability.”.

(2) **APPLICABILITY.**—In the case of a small business concern included in the database as of the date of the enactment of this Act for which, as of such date, the Secretary of Veterans Affairs has not verified the status of such concern in accordance with paragraph (4) of subsection (f) of section 8127 of title 38, United States Code, as amended by subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary shall notify the person who owns or controls the concern that—

(A) the Secretary is required to verify the status of the concern in accordance with such paragraph;

(B) verification of such status shall require that the person who owns or controls the concern apply for inclusion in the database in accordance with such subsection, as so amended;

(C) application for inclusion in the database shall constitute permission under section 552a of title 5, United States Code (commonly referred to as the Privacy Act), for the Secretary to access such personal information maintained by the Secretary as may be necessary to verify the information contained in the application; and

(D) the person who owns or controls the concern must submit to the Secretary an affirmative acknowledgment of the requirement under paragraph (3) within 90 days of receiving the Secretary's notice of such requirement or the concern shall be removed from the database.

#### **SEC. 102. REAUTHORIZATION OF VETERANS' ADVISORY COMMITTEE ON EDUCATION.**

Section 3692(c) is amended by striking “December 31, 2009” and inserting “December 31, 2015”.

### **TITLE II—SERVICEMEMBERS CIVIL RELIEF ACT MATTERS**

#### **SEC. 201. TERMINATION OF SERVICE CONTRACTS.**

(a) **IN GENERAL.**—Section 305A of the Servicemembers Civil Relief Act (50 U.S.C. App. 535a) is amended to read as follows:

##### **“SEC. 305A. TERMINATION OF SERVICE CONTRACTS.**

“(a) **TERMINATION BY SERVICEMEMBER.**—A servicemember may terminate a contract described in subsection (c) at any time after the date the servicemember receives military orders—

“(1) to deploy with a military unit, or as an individual, in support of a contingency operation for a period of not less than 90 days; or

“(2) for a change of permanent station to a location that does not support the contract.

“(b) **SPECIAL RULE FOR CELLULAR OR TELEPHONE EXCHANGE SERVICE.**—In any case in which a contract being terminated under subsection (a) or (d) is for cellular telephone service or telephone exchange service, the servicemember may keep, to the extent practicable and in accordance with applicable law, the telephone number the servicemember has under the contract for a period not to exceed 90 days after the period of deployment or change of permanent station has concluded.

“(c) **COVERED CONTRACTS.**—This section applies to a contract for cellular telephone service, telephone exchange service, multichannel video programming service, Internet access service, or residential utility service involving the provision of water, electricity, home heating oil, or natural gas.

“(d) **FAMILY PLANS.**—In the case of a contract for cellular telephone service entered

into by any individual in which a servicemember is a designated beneficiary of such contract, the individual may terminate such contract—

“(1) with respect to the servicemember if the servicemember is eligible to terminate contracts pursuant to subsection (a); and

“(2) with respect to all of the designated beneficiaries of such contract if all such beneficiaries accompany the servicemember in a change of permanent station to a location that does not support the contract.

“(e) **MANNER OF TERMINATION.**—Termination of a contract under subsection (a) or (d) shall be made by delivery of a written notice of such termination and a copy of the servicemember's military orders to the service provider, delivered—

“(1) by hand delivery;

“(2) by private business carrier;

“(3) by facsimile; or

“(4) by United States mail, addressed as designated by the service provider, return receipt requested, with sufficient postage.

“(f) **DATE OF CONTRACT TERMINATION.**—Termination of a contract under subsection (a) or (d) is effective as of the date on which the notice under subsection (e) is delivered.

“(g) **OTHER OBLIGATIONS AND LIABILITIES.**—The service provider under the contract may not impose an early termination charge, but any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid or unperformed at the time of termination of the contract shall be paid or performed by the servicemember. If the servicemember re-subscribes to the service provided under a covered contract in the 90-day period after the period of deployment or change of permanent station has concluded, the service provider may not impose a charge for reinstating service, other than a charge to cover any cost of installing or acquiring new equipment that existing customers received, and for which such customers paid a similar charge, during such period.

“(h) **RETURN OF ADVANCE PAYMENTS.**—Not later than 60 days after the effective date of the termination of the contract, the service provider shall refund to the servicemember any fee or other amount to the extent paid for a period extending after such date, except for the remainder of the monthly or similar billing period in which the termination occurs if it is not reasonably possible to determine a pro-rata amount for such remainder.

“(i) **DEFINITIONS.**—In this section:

“(1) The term ‘cellular telephone service’ means commercial mobile service, as that term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

“(2) The term ‘contingency operation’ has the meaning given that term by section 101(a)(13) of title 10, United States Code.

“(3) The term ‘Internet access service’ has the meaning given that term under section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).

“(4) The term ‘multichannel video programming service’ means video programming service provided by a multichannel video programming distributor, as such term is defined in section 602(13) of the Communications Act of 1934 (47 U.S.C. 602(13)).

“(5) The term ‘telephone exchange service’ has the meaning given that term under section 3 of the Communications Act of 1934 (47 U.S.C. 153).”.

(b) **TECHNICAL AMENDMENT TO CONFORM HEADING OF TITLE III TO THE CONTENTS OF THE TITLE.**—The heading for title III of such Act is amended by inserting “, **SERVICE CONTRACTS**” after “**LEASES**”.

(c) **CLERICAL AMENDMENTS.**—The table of contents in section 1(b) of such Act is amended—

(1) by striking the item relating to title III and inserting the following new item:

“**TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES, SERVICE CONTRACTS**”; AND

(2) by striking the item relating to section 305A and inserting the following new item:

“**Sec. 305A. Termination of service contracts.**”.

#### **SEC. 202. RESIDENTIAL AND MOTOR VEHICLE LEASES.**

Subsection (e) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended to read as follows:

“(e) **ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.**—

“(1) **LEASES OF PREMISES.**—Rent amounts for a lease described in subsection (b)(1) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.

“(2) **LEASES OF MOTOR VEHICLES.**—Lease amounts for a lease described in subsection (b)(2) that are unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. The lessor may not impose an early termination charge, but any taxes, summonses, title and registration fees, or other obligations and liabilities of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear or use and mileage, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.”.

#### **SEC. 203. ENFORCEMENT BY THE ATTORNEY GENERAL AND BY PRIVATE RIGHT OF ACTION.**

(a) **IN GENERAL.**—The Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) is amended by adding at the end the following new title:

##### **“TITLE VIII—CIVIL LIABILITY**

##### **“SEC. 801. ENFORCEMENT BY THE ATTORNEY GENERAL.**

“(a) **CIVIL ACTION.**—The Attorney General may commence a civil action in any appropriate United States district court against any person who—

“(1) engages in a pattern or practice of violating this Act; or

“(2) engages in a violation of this Act that raises an issue of significant public importance.

“(b) **RELIEF.**—In a civil action commenced under subsection (a), the court may—

“(1) grant any appropriate equitable or declaratory relief with respect to the violation;

“(2) award all other appropriate relief, including monetary damages, to any person aggrieved by the violation; and

“(3) may, to vindicate the public interest, assess a civil penalty—

“(A) in an amount not exceeding \$55,000 for a first violation; and

“(B) in an amount not exceeding \$110,000 for any subsequent violation.

“(c) **INTERVENTION.**—Upon timely application, a person aggrieved by a violation with respect to which the civil action is commenced may intervene in such action, and may obtain such appropriate relief as the person could obtain in a civil action under section 802 with respect to that violation, along with costs and a reasonable attorney fee.

##### **“SEC. 802. PRIVATE RIGHT OF ACTION.**

“(a) **IN GENERAL.**—Any person aggrieved by a violation of this Act may in a civil action—

“(1) obtain any appropriate equitable or declaratory relief with respect to the violation; and

“(2) recover all other appropriate relief, including monetary damages.

“(b) COSTS AND ATTORNEY FEES.—The court may award to a servicemember who prevails in an action brought under subsection (a) the costs of the action, including a reasonable attorney fee.

#### “SEC. 803. PRESERVATION OF REMEDIES.

“Nothing in section 801 or 802 shall be construed to preclude or limit any remedy otherwise available under other law, including consequential and punitive damages.”.

(b) CONFORMING AMENDMENTS.—Such Act is further amended as follows:

(1) Section 207 (50 U.S.C. App. 527) is amended by striking subsection (f).

(2) Section 301(c) (50 U.S.C. App. 531(c)) is amended to read as follows:

“(c) MISDEMEANOR.—Except as provided in subsection (a), a person who knowingly takes part in an eviction or distress described in subsection (a), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(3) Section 302(b) (50 U.S.C. App. 532(b)) is amended to read as follows:

“(b) MISDEMEANOR.—A person who knowingly resumes possession of property in violation of subsection (a), or in violation of section 107 of this Act, or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(4) Section 303(d) (50 U.S.C. App. 533(d)) is amended to read as follows:

“(d) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(5) Section 305(h) (50 U.S.C. App. 535(h)) is amended to read as follows:

“(h) MISDEMEANOR.—Any person who knowingly seizes, holds, or detains the personal effects, security deposit, or other property of a servicemember or a servicemember's dependent who lawfully terminates a lease covered by this section, or who knowingly interferes with the removal of such property from premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(6) Section 306(e) (50 U.S.C. App. 536(e)) is amended to read as follows:

“(e) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(7) Section 307(c) (50 U.S.C. App. 537(c)) is amended to read as follows:

“(c) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end the following new items:

#### “TITLE VIII—CIVIL LIABILITY

“Sec. 801. Enforcement by the Attorney General.

“Sec. 802. Private right of action.

“Sec. 803. Preservation of remedies.”.

#### TITLE III—OTHER BENEFITS MATTERS

#### SEC. 301. IMPROVEMENT OF OUTREACH ACTIVITIES WITHIN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 5 is amended by adding at the end the following new subsection:

#### “SUBCHAPTER IV—OUTREACH ACTIVITIES

#### “§ 561. Outreach activities: coordination of activities within the Department

“(a) COORDINATION PROCEDURES.—The Secretary shall establish and maintain procedures for ensuring the effective coordination of the outreach activities of the Department between and among the following:

- “(1) The Office of the Secretary.
- “(2) The Office of Public Affairs.
- “(3) The Veterans Health Administration.
- “(4) The Veterans Benefits Administration.
- “(5) The National Cemetery Administration.

“(b) ANNUAL REVIEW OF PROCEDURES.—The Secretary shall—

“(1) annually review the procedures in effect under subsection (a) for the purpose of ensuring that those procedures meet the requirements of that subsection; and

“(2) make such modifications to those procedures as the Secretary considers appropriate in light of such review in order to better achieve that purpose.

#### “§ 562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach

“(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to State and county veterans agencies to carry out programs in locations within the respective jurisdictions of such agencies that offer a high probability of improving outreach and assistance to veterans, and to the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in applying for, any veterans' and veterans-related benefits and programs (including State veterans' programs) for which they may be eligible.

“(b) PRIORITY FOR AREAS WITH HIGH CONCENTRATION OF ELIGIBLE INDIVIDUALS.—In providing assistance under this section, the Secretary shall give priority to State and county veteran agencies in locations—

“(1) that have relatively large concentrations of populations of veterans and other individuals referred to in subsection (a); or

“(2) that are experiencing growth in the population of veterans and other individuals referred to in subsection (a).

“(c) CONTRACTS FOR OUTREACH SERVICES.—

The Secretary may enter into a contract with a State or county veterans agency in order to carry out, coordinate, improve, or otherwise enhance outreach by the Department and the State or county (including outreach with respect to a State or county veterans program). As a condition of entering into any such contract, the Secretary shall require the agency to submit annually to the Secretary a three-year plan for the use of any funds provided to the agency pursuant to the contract and to meet the annual outcome measures developed by the Secretary under subsection (d)(4).

“(d) GRANTS.—(1) The Secretary may make a grant to a State or county veterans agency to be used to carry out, coordinate, improve, or otherwise enhance—

“(A) outreach activities, including activities carried out pursuant to a contract entered into under subsection (c); and

“(B) activities to assist in the development and submittal of claims for veterans and vet-

erans-related benefits, including activities carried out pursuant to a contract entered into under subsection (c).

“(2) A State veterans agency that receives a grant under this subsection may award all or a portion of the grant to county veterans agencies within the State to provide outreach services for veterans, on the basis of the number of veterans residing in the jurisdiction of each county.

“(3) To be eligible for a grant under this subsection, a State or county veterans agency shall submit to the Secretary an application containing such information and assurances as the Secretary may require. The Secretary shall require a State or county veterans agency to include, as part of the agency's application—

“(A) a three-year plan for the use of the grant; and

“(B) a description of the programs through which the agency will meet the annual outcome measures developed by the Secretary under paragraph (4).

“(4)(A) The Secretary shall develop and provide to the recipient of a grant under this subsection written guidance on annual outcome measures, Department policies, and procedures for applying for grants under this section.

“(B) The Secretary shall annually review the performance of each State or county veterans agency that receives a grant under this section.

“(C) In the case of a State or county veterans agency that is a recipient of a grant under this subsection that does not meet the annual outcome measures developed by the Secretary, the Secretary shall require the agency to submit a remediation plan under which the agency shall describe how and when it plans to meet such outcome measures. The Secretary must approve such plan before the Secretary may make a subsequent grant to that agency under this subsection.

“(5) No portion of any grant awarded under this subsection may be used for the purposes of administering the grant funds or to subsidize the salaries of State or county veterans service officers or other employees of a State or county veterans agency that receives a grant under this subsection.

“(6) Federal funds provided to a State or county veterans agency under this subsection may not be used to provide more than 50 percent of the total cost of the State or county government activities described in paragraph (1) and shall be used to expand existing outreach programs and services and not to supplant State and local funding that is otherwise available.

“(7) In awarding grants under this subsection, the Secretary shall give priority to State and county veterans agencies that serve the largest populations of veterans.

“(8)(A) In a case in which a county government does not have a county veterans agency, the county government may be awarded a grant under this subsection to establish such an agency.

“(B) In a case in which a county government does not have a county veterans agency and does not seek to establish such an agency through the use of a grant under this subsection, the State veterans agency for the State in which the county is located may use a grant under this section to provide outreach services for that county.

“(C) In the case of a State in which no State or county veterans agency seeks to receive a grant under this subsection, the funds that would otherwise be allocated for that State shall be reallocated to those States in which county veterans agencies exist and have sought grants under this subsection.

“(9) A grant under this subsection may be used to provide education and training, including on-the-job training, for State, county, and local government employees who provide (or when trained will provide) veterans outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary and, for employees so accredited, for purposes of continuing education.

“(e) DEFINITIONS.—For the purposes of this section:

“(1) The term ‘State veterans agency’ means the element of the government of a State that has responsibility for programs and activities of that State government relating to veterans benefits.

“(2) The term ‘county veterans agency’ means the element of the government of a county or municipality that has responsibility for programs and activities of that county or municipal government relating to veterans benefits.

#### “§ 563. Outreach activities: funding

“(a) SEPARATE ACCOUNT.—Amounts for the outreach activities of the Department under this subchapter shall be budgeted and appropriated through a separate appropriation account.

“(b) SEPARATE STATEMENT OF AMOUNT.—In the budget justification materials submitted to Congress in support of the Department budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary shall include a separate statement of the amount requested to be appropriated for that fiscal year for the account specified in subsection (a).

#### “§ 564. Definition of outreach

“For purposes of this subchapter, the term ‘outreach’ means the act or process of taking steps in a systematic manner to provide information, services, and benefits counseling to veterans, and the survivors of veterans, who may be eligible to receive benefits under the laws administered by the Secretary to ensure that those individuals are fully informed about, and assisted in applying for, any benefits and programs under such laws for which they may be eligible.

#### “§ 565. Authorization of appropriations

“There is authorized to be appropriated to the Secretary for each of fiscal years 2011, 2012, and 2013, \$25,000,000 to carry out this subchapter, including making grants under section 562(d) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

#### “SUBCHAPTER IV—OUTREACH ACTIVITIES

“561. Outreach activities: coordination of activities within the Department.

“562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach.

“563. Outreach activities: funding.

“564. Definition of outreach.

“565. Authorization of appropriations.”

(c) DEADLINE FOR IMPLEMENTATION.—The Secretary of Veterans Affairs shall implement the outreach activities required under subchapter IV of chapter 5 of title 38, United States Code, as added by subsection (a), by not later than 120 days after the date of the enactment of this Act.

### SEC. 302. VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATION ASSISTANCE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Part V is amended by adding at the end the following new chapter:

### “CHAPTER 80—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY PROFESSIONALS EDUCATION ASSISTANCE PROGRAM

“Sec.

“8001. Establishment of scholarship program; purpose.

“8002. Application and acceptance.

“8003. Amount of assistance; duration.

“8004. Agreement.

“8005. Repayment for failure to satisfy requirements of agreement.

#### “§ 8001. Establishment of scholarship program; purpose

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish and carry out a scholarship program to provide financial assistance in accordance with this chapter to an individual—

“(1) who is accepted for enrollment or currently enrolled in a program of study leading to a degree or certificate in visual impairment or orientation and mobility, or a dual degree or certification in both such areas, at an accredited (as determined by the Secretary) educational institution that is in a State; and

“(2) who enters into an agreement with the Secretary as described in section 8004 of this chapter.

“(b) PURPOSE.—The purpose of the scholarship program established under this chapter is to increase the supply of qualified blind rehabilitation specialists for the Department and the Nation.

“(c) OUTREACH.—The Secretary shall publicize the scholarship program established under this chapter to educational institutions throughout the United States, with an emphasis on disseminating information to such institutions with high numbers of Hispanic students and to Historically Black Colleges and Universities.

#### “§ 8002. Application and acceptance

“(a) APPLICATION.—(1) To apply and participate in the scholarship program under this chapter, an individual shall submit to the Secretary an application for such participation together with an agreement described in section 8004 of this chapter under which the participant agrees to serve a period of obligated service in the Department as provided in the agreement in return for payment of educational assistance as provided in the agreement.

“(2) In distributing application forms and agreement forms to individuals desiring to participate in the scholarship program, the Secretary shall include with such forms the following:

“(A) A fair summary of the rights and liabilities of an individual whose application is approved (and whose agreement is accepted) by the Secretary.

“(B) A full description of the terms and conditions that apply to participation in the scholarship program and service in the Department.

“(b) APPROVAL.—(1) Upon the Secretary's approval of an individual's participation in the scholarship program, the Secretary shall, in writing, promptly notify the individual of that acceptance.

“(2) An individual becomes a participant in the scholarship program upon such approval by the Secretary.

#### “§ 8003. Amount of assistance; duration

“(a) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for an individual under this chapter shall be the amount determined by the Secretary as being necessary to pay the tuition and fees of the individual. In the case of an individual enrolled in a program of study leading to a dual degree or certification in both the areas of study described in section 8001(a)(1) of this

chapter, the tuition and fees shall not exceed the amounts necessary for the minimum number of credit hours to achieve such dual certification or degree.

“(b) RELATIONSHIP TO OTHER ASSISTANCE.—Financial assistance may be provided to an individual under this chapter to supplement other educational assistance to the extent that the total amount of educational assistance received by the individual during an academic year does not exceed the total tuition and fees for such academic year.

“(c) MAXIMUM AMOUNT OF ASSISTANCE.—(1) In no case may the total amount of assistance provided under this chapter for an academic year to an individual who is a full-time student exceed \$15,000.

“(2) In the case of an individual who is a part-time student, the total amount of assistance provided under this chapter shall bear the same ratio to the amount that would be paid under paragraph (1) if the participant were a full-time student in the program of study being pursued by the individual as the coursework carried by the individual to full-time coursework in that program of study.

“(3) In no case may the total amount of assistance provided to an individual under this chapter exceed \$45,000.

“(d) MAXIMUM DURATION OF ASSISTANCE.—The Secretary may provide financial assistance to an individual under this chapter for not more than six years.

#### “§ 8004. Agreement

“An agreement between the Secretary and a participant in the scholarship program under this chapter shall be in writing, shall be signed by the participant, and shall include—

“(1) the Secretary's agreement to provide the participant with financial assistance as authorized under this chapter;

“(2) the participant's agreement—

“(A) to accept such financial assistance;

“(B) to maintain enrollment and attendance in the program of study described in section 8001(a)(1) of this chapter;

“(C) while enrolled in such program, to maintain an acceptable level of academic standing (as determined by the educational institution offering such program under regulations prescribed by the Secretary); and

“(D) after completion of the program, to serve as a full-time employee in the Department for a period of three years, to be served within the first six years after the participant has completed such program and received a degree or certificate described in section 8001(a)(1) of this chapter; and

“(3) any other terms and conditions that the Secretary determines appropriate for carrying out this chapter.

#### “§ 8005. Repayment for failure to satisfy requirements of agreement

“(a) IN GENERAL.—An individual who receives educational assistance under this chapter shall repay to the Secretary an amount equal to the unearned portion of such assistance if the individual fails to satisfy the requirements of the agreement entered into under section 8004 of this chapter, except in circumstances authorized by the Secretary.

“(b) AMOUNT OF REPAYMENT.—The Secretary shall establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to the required repayment may be granted.

“(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary shall prescribe regulations providing for the waiver or suspension of any obligation of an individual for service

or payment under this chapter (or an agreement under this chapter) whenever non-compliance by the individual is due to circumstances beyond the control of the individual or whenever the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

“(d) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the Secretary under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.”.

(b) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and of part V of such title, are each amended by inserting after the item relating to chapter 79 the following new item:

“80. Visual Impairment and Orientation and Mobility Professionals Education Assistance Program ... 8001”.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall implement chapter 80 of title 38, United States Code, as added by subsection (a), not later than six months after the date of the enactment of this Act.

#### SEC. 303. INTERMENT IN NATIONAL CEMETERIES OF PARENTS OF CERTAIN DECEASED VETERANS.

(a) SHORT TITLE.—This section may be cited as the “Corey Shea Act”.

(b) INTERMENT OF PARENTS OF CERTAIN DECEASED VETERANS.—Section 2402 is amended—

(1) in the matter preceding paragraph (1), by striking “Under such regulations” and inserting “(a) Under such regulations”;

(2) by moving the margins of paragraphs (1) through (8) two ems to the right;

(3) by inserting after paragraph (8) the following new paragraph:

“(9)(A) The parent of a person described in subparagraph (B), if the Secretary determines that there is available space at the gravesite where the person described in subparagraph (B) is interred.

“(B) A person described in this subparagraph is a person described in paragraph (1) who—

“(i) is a hostile casualty or died from a training-related injury;

“(ii) is interred in a national cemetery; and

“(iii) at the time of the person’s parent’s death, did not have a spouse, surviving spouse, or child who is buried or who, upon death, may be eligible for burial in a national cemetery pursuant to paragraph (5).”;

and

(4) by adding at the end the following new subsection:

“(b) For purposes of subsection (a)(9) of this section:

“(1) The term ‘parent’ means a biological father or a biological mother or, in the case of adoption, a father through adoption or a mother through adoption.

“(2) The term ‘hostile casualty’ means a person who, as a member of the Armed Forces, dies as the direct result of hostile action with the enemy, while in combat, while going to or returning from a combat mission if the cause of death was directly related to hostile action, or while hospitalized or undergoing treatment at the expense of the United States for injury incurred during combat, and includes a person killed mistakenly or accidentally by friendly fire directed at a hostile force or what is thought to be a hostile force, but does not include a person who dies due to the elements, a self-inflicted wound, combat fatigue, or a friendly force while the person was in an absent-without-

leave, deserter, or dropped-from-rolls status or was voluntarily absent from a place of duty.

“(3) The term ‘training-related injury’ means an injury incurred by a member of the Armed Forces while performing authorized training activities in preparation for a combat mission.”.

(c) GUIDANCE REQUIRED.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall develop guidance under which the parent of a person described in paragraph (9)(B) of subsection (a) of section 2402 of title 38, United States Code, may be designated for interment in a national cemetery under that section.

(d) CONFORMING AMENDMENTS.—

(1) CROSS-REFERENCE CORRECTION.—Section 107 is amended by striking “section 2402(8)” both places it appears and inserting “section 2402(a)(8)”.

(2) CROSS-REFERENCE CORRECTION.—Section 2301(e) is amended by striking “section 2402(6)” and inserting “section 2402(a)(6)”.

(3) CROSS-REFERENCE CORRECTION.—Section 2306(a) is amended—

(A) in paragraph (2), by striking “section 2402(4)” and inserting “section 2402(a)(4)”; and

(B) in paragraph (4), by striking “section 2402(5)” and inserting “section 2402(a)(5)”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the death, on or after the date of the enactment of this Act, of the parent of a person described in section 2402(a)(9)(B) of title 38, United States Code, as added by subsection (a), who dies on or after October 7, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. WALZ) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 3949, as amended, the Veterans’ Small Business Assistance and Servicemembers Protection Act of 2009, is a necessary cornerstone to grant deserving heroes the protections and opportunities to succeed. This legislation includes several important provisions and would not be possible without the hard work of many members of this committee and of Congress as a whole.

H.R. 3949 addresses the needs of veteran-owned small businesses. A provision of the bill will require that all businesses listed in the Department of Veterans Affairs VetBiz Vendor Information Pages database have been confirmed as veteran-owned small businesses so our veterans are furnished the economic benefits that Congress intended them to receive through their military service and sacrifice. I would again like to thank Congresswoman HERSETH SANDLIN, chairwoman of the Subcommittee on Economic Opportunity, for her continued leadership on this issue.

H.R. 3949 also includes a timely bill, first introduced by one of our active committee members, Representative ANN KIRKPATRICK of Arizona. This provision seeks to reauthorize the Veterans’ Advisory Committee on Education whose authorization is set to expire at the end of this year. Reauthorizing the advisory committee will pro-

vide the VA Secretary with a group of subject matter experts to help work to ensure our heroes have the educational opportunities they’ve earned.

Furthermore, this comprehensive bill includes important updates to the Servicemembers Civil Relief Act. H.R. 3949 will strengthen our efforts nationally to support veterans, servicemembers and their families during deployment. The bill will allow greater flexibility for family cell phone plans, rental leases, and motor vehicle leases when servicemembers are deployed or required to change duty stations. The bill authorizes the U.S. Attorney General to bring a civil action in U.S. district courts to enforce provisions of the Servicemembers Civil Relief Act.

The provisions on the Servicemembers Civil Relief Act included in H.R. 3949 are a collaborative effort that includes bills introduced by Representatives BRAD MILLER of North Carolina, Representative GERALD CONNOLLY of Virginia and Representative PATRICK MURPHY of Pennsylvania, respectively. Their efforts to protect our deployed servicemembers are commendable.

Another important provision included in this legislation seeks to assist in VA’s outreach efforts to improve coordination among the key offices within the Department of Veterans Affairs. This provision was originally introduced by my colleague, Representative MIKE MCINTYRE of North Carolina.

To help the 160,000 legally blind veterans in the United States, a provision of this bill would establish a scholarship program for students seeking a degree or a certificate in the area of visual impairment, orientation and mobility. This would help our blind veterans by increasing the number of vision rehabilitation specialists with the appropriate education and training. I would like to thank Representative SHEILA JACKSON-LEE of Texas for her continued leadership on this issue and her dedication to the needs of our veterans.

Finally, the legislation honors our fallen American heroes by providing an eligible parent of a deceased veteran to be buried in a VA national cemetery when the deceased veteran does not have an immediate spouse or child. I want to thank Representative BARNEY FRANK of Massachusetts for introducing this incredibly important piece of legislation.

Mr. Speaker, this bipartisan legislation will provide needed changes for our veterans and their families while addressing the unique needs of veterans and servicemembers as they serve the country. I would like to thank the committee’s ranking member, Representative STEVE BUYER of Indiana, members of the committee and my colleagues for working in a bipartisan manner on H.R. 3949. Again, I would like to thank my colleagues who got this final bill here and for helping our veterans.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I yield myself such time as I may consume.

It appears this legislation has a lot of wonderful components in it. It represents about seven individual bills. It would amend title 38 of the United States Code and the Servicemembers Civil Relief Act to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes.

The bill, H.R. 3949, is designed to continue the Veterans' Advisory Committee on Education, improve protections under the Servicemembers Civil Relief Act, improve VA outreach programs, establish a VA scholarship program, and expand eligibility for burial in a national cemetery.

Public Law 109-461 requires VA to maintain a database of veteran- and disabled veteran-owned small businesses and to validate the ownership and control any business included in the database. Implementing those provisions, VA has allowed any business that applies for inclusion in the database to be listed prior to being validated. The bill would require VA to list only those businesses that have been validated. This will prevent non-veteran-owned businesses from misrepresenting themselves as veteran-owned.

Mr. Speaker, I did want to bring to my colleagues' attention the disappointment on this side of the aisle that the amended bill we are considering drops section 102 from H.R. 3949, which was unanimously reported by the Veterans' Affairs Committee. Section 102 would clarify that Congress intends to allow VA contracting officers at the Department of Veterans Affairs to award sole source contracts to service-disabled veteran-owned small businesses on the same basis as so-called 8(a) businesses under the Small Business Act. VA contracting officers often interpret the Small Business Act as giving 8(a) firms a higher priority than service-disabled veteran-owned small businesses, which we do not believe is consistent with congressional intent. All this provision would do is to give veterans a level playing field with 8(a), women- and minority-owned small businesses. So obviously we're disappointed. We're not clear why this happened, but we wanted to bring that to the attention of my colleagues.

Furthermore, service-connected disabled veteran small business owners have earned and deserve an equal level of priority for VA contracts. Unfortunately, the Small Business Committee majority and the Oversight and Government Reform Committee majority have asserted jurisdiction and are holding up this important provision to help service-disabled veteran-owned small business, and this is just a week before Veterans Day, I might add.

Service-disabled veteran-owned small business owners are men and women of all races and economic groups from all over the country. In these difficult eco-

nomic times, they need the help section 102 would have provided. While I regret that this important provision isn't in the bill today, we hope to work with the Small Business Committee and the Oversight and Government Reform Committee to ultimately reach an agreement on a way to allow service-disabled veteran-owned small businesses just simply a fair opportunity to obtain sole source contracts from the Veterans Administration. Servicemembers continue to experience service contract and lease difficulties that are related to permanent change of duty stations and deployments. H.R. 3949 would clarify the member's rights and obligations under the Servicemembers Civil Relief Act, or SCRA, when terminating a service contract or lease due to military orders.

The bill also contains provisions that would authorize the United States Attorney General to initiate action in a U.S. district court on behalf of a veteran whose rights under SCRA may have been violated and allows courts to provide relief to the member, including monetary damages, and assess civil penalties up to \$110,000. Unfortunately, courts sometimes fail to recognize the individual right of action that is implicit in the Servicemembers Civil Relief Act. As one hearing witness noted, it makes no sense to provide a right and then deny the individual the ability to enforce that right. Therefore, the legislation would also codify a private right of action to make it clear to all courts that an individual has a right to bring legal action to protect rights granted under SCRA.

Title 3 of the bill includes an authorization to allow VA to provide up to \$25 million in grants to State veterans agencies and to allow these agencies to provide all or a portion of these grants to county veterans service agencies to increase outreach to veterans.

□ 1500

Such grants carry with them significant responsibility for the VA and State and local veterans agencies to ensure simply these funds are properly accounted for and to measure the results of this provision.

One of the least discussed injuries due to the traumatic effects of improvised explosive devices is the damage to the body's visual system. Unfortunately, these effects may be subtle at first or not occur immediately after the event. To accommodate the increasing number of visually impaired veterans whose sight has been affected either directly by combat or the effects of aging and disease, title III also would authorize the VA to grant scholarships to persons in educational programs relating to treating visual impairment and mobility issues.

Now persons receiving such scholarships would be required to commit to working within the VA health care system for a requisite number of years. The bill also stipulates conditions for repayment of the scholarships in the

event that the individual fails to fulfill the conditions that are specified in this scholarship.

Finally, my colleagues, the bill would define the conditions under which the parents of a deceased veteran could be buried with the veteran in a national cemetery.

I support this bill. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, before I yield time to my chairwoman, I would like to say I concur with the gentleman from Florida's assessment on section 102. And when we looked at this, one of the things we discussed was this was procedural because of the jurisdictional issues. And I would sure be willing to work with the gentleman to make sure we do bring that back up again. I think the issue here was all of the good in this bill would have been held back and we wouldn't have been able to move any of it forward as we worked out the jurisdictional issues.

So I do concur with your assessment that it is an important piece. We did vote on it unanimously, and I think down the road here we need to get it in.

Mr. STEARNS. If the gentleman will yield, I thank my colleague for his support, and I look forward to working with him.

Mr. WALZ. At this time I yield 5 minutes to the chairwoman of the Subcommittee on Economic Opportunity, Ms. HERSETH SANDLIN.

Ms. HERSETH SANDLIN. I thank the gentleman for yielding.

I rise today in strong support of H.R. 3949, the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, which the full Veterans' Affairs Committee approved with bipartisan support last week and which contains legislation I introduced, along with the ranking member of the Economic Opportunities Subcommittee, Mr. BOOZMAN, to verify the veteran status of small businesses listed in the VetBiz Vendor Information Pages, known as the VIP database.

I would like to thank full committee Chairman FILNER and Ranking Member BUYER for their leadership and support for this legislation.

The overall bill under consideration by the House combines the provisions from a number of other bills into strong legislation that will assist a broad array of veterans in a variety of ways, and I applaud Chairman FILNER for moving this legislation forward.

The bill updates the Servicemembers Civil Relief Act and burial regulations for national cemeteries. It creates a scholarship program to improve the eye care available to veterans and improves the Department of Veterans Affairs' outreach efforts by improving coordination among key offices within the VA.

The Veterans Small Business Verification Act that Mr. BOOZMAN and I introduced follows up on legislation Congress passed in 2006 requiring the VA to



maintain its VIP database and verify that applicants for inclusion in the database were veteran-owned small businesses or service-disabled veteran-owned small businesses. Once firms register in the VIP database, they qualify to receive set-aside or sole-source awards.

The Economic Opportunity Subcommittee learned through hearings and meetings with VA staff and the veterans community that the database contained firms that didn't qualify because the verification process was voluntary. This voluntary process meant that while the VIP database included over 16,000 businesses, less than 1,000 had received verification of their veteran status or had voluntarily submitted information to be verified.

While I'm pleased that Veterans Affairs Secretary Shinseki has taken steps since these hearings over the past 6 months to improve the process by which businesses are verified, this bill will ensure our veterans are afforded the small business opportunities they're due.

The Veterans Small Business Verification Act would amend title XXXVIII to clarify current law and require the VA to verify that firms are veteran-owned small businesses or service-disabled veteran-owned small businesses in order to be listed in the VIP database. Furthermore, it requires that the VA notify small businesses already listed in the database of the need to verify their status.

In conclusion, H.R. 3949 takes important steps toward providing needed assistance in a number of areas to those veterans who have bravely served their country. I encourage my colleagues to support H.R. 3949.

Mr. STEARNS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. I thank Mr. STEARNS for yielding.

Mr. Speaker, I too rise in support of H.R. 3949, several provisions of which originated in the Subcommittee on Economic Opportunity. I want to especially thank Chairwoman HERSETH SANDLIN for her leadership in moving these provisions, as well as Chairman FILNER and Ranking Member BUYER for bringing the bill to the floor.

I did have one major disappointment, and Mr. STEARNS alluded to it earlier, in the effort to get the "may" to "shall" provisions, business provisions, that merely would have put disabled veteran-owned small businesses on an equal footing with 8(a) firms when competing for sole-source contracts at the Department of Veterans Affairs. I guess that was removed at the request of the Small Business Committee. And I know Mr. WALZ is concerned and the rest of the committee are all concerned about that.

Hopefully, we can all work together to reach a solution to that problem. This is something that literally we have all been working on for years, the

"mays" to "shall" and things. So, again, like I said, hopefully we can resolve that problem.

This is a very, very good bill. I think it's something that all of the committee can be very, very proud of. This is the kind of work that we want coming out of the Veterans' Affairs Committee, and so I very much support it. Again, special thanks to Ms. HERSETH SANDLIN, Chairman FILNER, and Ranking Member BUYER.

Mr. STEARNS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WALZ. Mr. Speaker, at this time I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), who had an important piece of this bill incorporated in.

Mr. FRANK of Massachusetts. Mr. Speaker, this is a sad day for me because it is close to the anniversary of the death in Iraq of a very brave young man, Corey Shea, whose picture is here.

He was killed in Iraq just the day after Veterans Day of last year, and I went to the funeral, along with my colleague Senator KERRY, to the town of Mansfield, Massachusetts. Like I think most Members, I try very hard to attend the funeral of every young man and woman who is killed in the service of the country. It's the least we can do. It's not a great deal, but it's the least we can do to show a small piece of the gratitude we feel to those people and our obligation to their families.

Also, it seems to me, anybody in our position who has to vote on going to war needs to fully understand the consequences of those votes, and going to the funerals of the young people killed in those wars ought to be mandatory for any of us who vote. That doesn't mean you don't vote for the war. I voted for the war in Afghanistan. I've been to funerals of people killed there. But it is an important thing to hammer home.

In this case at the funeral I met an extraordinary woman, Denise Anderson, the mother of Corey Shea, who was, in her grief at the loss of her wonderful young son, further concerned because he would be buried alone.

His country took him when he was too young to have married or raised a family. So under the rules of eligibility for burial at a veterans cemetery, he was to be buried alone. His mother said as bad as it was for her to lose her son, the thought that he would be alone forever added greatly to her pain. So she had asked if she could be buried with him, and she was turned down.

Now, under the rules a member of the military eligible to be buried in a national cemetery who has a spouse with children can have up to three parts used. So we're not taking anything away from someone. In Corey Shea's case, this wonderful young man who lost his life has three parts available, and his mother simply asked to be allowed to use one of them. She was turned down.

At that point Senator KERRY and I decided to see what we could do. So we filed legislation to alleviate that, and I am enormously grateful to all members from both parties in the Committee on Veterans' Affairs for the speed with which they acted and the grace they showed to this brave, grieving mother. And I am very pleased that the bill which we would dare concur in, called the Corey Shea Act, is going to be included in this package.

Mr. Speaker, rather than go further myself, I'm going to read the testimony that Denise Anderson, the mother of Corey Shea, presented to the Committee on Veterans' Affairs. We obviously exhausted our remedies, I should say. She applied. Only after it was clear that only legislation would work did we file a bill.

And, of course, I should point out, as a tribute to Denise Anderson, this isn't a bill just for her and her son who lost his life. It's a bill for any parent of any young member of the military who will know at least that that's available to him or to her.

So nearly a year after her son was killed in Iraq, she had the opportunity to address the committee, and here's what she said:

"I stand before you humbly asking you to pass or amend this bill number H.R. 761. This would allow me to be interred with my son, who was killed in action in Mosul, Iraq on November 12, 2008. He sacrificed his life for his country, and I sacrifice every day being without him.

"My son, Corey, had a heart as big as the world. He would be the first one to volunteer or help someone in need. But he would always hesitate to ask for help. He was a lot like me in that way, but today I show my passion for this bill by standing in front of you asking for your help. If you knew my son, you would understand what kind of person he was. He was a very respectful young man who would do anything for anybody. He was my heart and soul, and I cannot express the bond between us. If you have children, you might understand, but losing a child is against nature and he should be burying me.

"I was a single parent until Corey was about 8 years old. His biological father was not around. In fact, he was in prison. He never paid child support, and I worked over 60 hours a week just to support him and make sure he had everything he needed. Jeff took over the job of stepfather and Corey gladly accepted him. When he came home on leave, we would stay up until the sun came up. I did not want to miss a minute with him.

"My son was killed by an Iraqi soldier. These soldiers are supposed to be working with our troops over in Iraq. He was an Iraqi soldier for 4 years before turning on our soldiers. On that terrible day, he killed two soldiers, including my son, and wounded six other American soldiers.

"I was not home when the Army came to my door, but my 18-year-old

daughter was there. She is a very intelligent person and knew why they were there. She called me, not telling me what was going on, which was probably a good thing. But when I arrived home, the Mansfield police and the Army vehicle were parked in front of my home. My son had only a month left on his first tour, and he would have been home. After passing out, the police called the paramedics, who took me to the hospital.

"The whole town came together for Corey. They were so involved with his funeral, and it was very heartfelt. My son was the only and hopefully the only soldier who passed away during this war in Mansfield. He is a Mansfield hero. I belong to the VFW in Mansfield, Massachusetts, and I have spoken to many veterans that are members there, and they don't have a problem with me being interred with my son. In fact, everyone I spoke with doesn't haven't a problem.

"This amendment would not be taking up any other deserving space for other veterans. My son has three extra plots, but he was not married nor did he have any dependents. He did not have time, since, like I said, he was a child himself.

"I could speak all day regarding my son and what a wonderful and respectful young man he was. But I am here to ask you to amend the bill number H.R. 761. If you decide to pass this, it would give me some peace in my life to which I can pay more attention to my husband and daughter, whom I feel I have been neglecting. I could finally be able to move forward in my life just knowing I can spend eternity with my son.

"Please listen with your hearts and amend this bill. I appreciate your time listening to me today. This may be a minimal issue with you, but it means everything to me.

"Thank you for your attention in this matter.

"Denise Anderson, proud mother of Specialist Corey Shea, my warrior hero and wonderful son."

I would only say the one difference I would have with Mrs. Anderson is no one here takes this as a minimal issue. We are grateful to her for giving us one more chance to show in a small way how much we honor those who have lost their lives.

I will just repeat one thing I said, Mr. Speaker, in the testimony. I cannot think of a greater disproportion than what Denise Anderson gave to us, her son, and what she has asked us to give in return. I am pleased that at least the House will be doing that today.

□ 1515

Mr. WALZ. Mr. Speaker, I yield such time as he may consume to my colleague from North Carolina, Mr. MILLER.

Mr. MILLER of North Carolina. Mr. Speaker, I also rise in support of this bill. A portion of this bill began its legislative life as separate legislation introduced by WALTER JONES, my col-

league from North Carolina, and by me to improve the Servicemembers Civil Relief Act, the SCRA. This legislation now provides real teeth and real remedy for the protections of the SCRA.

Someone who is serving in our military, who is defending our country, who is on active service, on active duty, should not have to worry about what is happening in court back home. They shouldn't have to worry if someone is getting a judgment against them or their home is being foreclosed on. Anyone who has a claim against someone who is in our military should not lose their claim, but their claim can wait, the lawsuit can wait, until the servicemember can come home, come to court and defend themselves, assert whatever right they may have, and tell their side of the story.

The law is now not entirely clear about whether a servicemember who has had that right violated, that right to get a little break while they are on military service, whether they can do something about it, and the legislation now makes very clear that they can. They can bring their own lawsuit. The Attorney General can bring a lawsuit, and the servicemember can join in that, and the servicemember can bring a lawsuit of their own.

A right that does not allow a remedy, a right that cannot be enforced is no right at all. This legislation now makes very clear that the rights under SCRA are real rights, and our servicemembers can devote their whole energy to defense of our country and not worry about what is going on in a courthouse back home.

Mr. WALZ. Mr. Speaker, I yield the balance of our time to the gentleman from North Carolina (Mr. MCINTYRE).

(Mr. MCINTYRE asked and was given permission to revise and extend his remarks.)

Mr. MCINTYRE. Mr. Speaker, I rise today in support of the Veterans' Small Business Assistance and Servicemembers Protection Act of 2009, H.R. 3949, which includes provisions of a bill that I introduced on the very first day that this Congress was sworn in this year, the 111th Congress, which was H.R. 32, the Veterans Outreach Improvement Act of 2009. I want to thank Chairman FILNER and Ranking Member BUYER for their support, as well as the many cosponsors from both sides of the aisle who have joined us in this effort to honor those who have put their lives on the line for our country, whom we will soon be honoring as a Nation on Veterans Day.

This important legislation, which passed the U.S. House unanimously during the last session of Congress, the 110th Congress, by a vote of 421-0, would improve the U.S. Department of Veterans Affairs outreach activities by allowing the Department to partner with State and local governments to reach out to veterans and their families regarding benefits for which they are eligible and to assist them in developing a benefits claim package.

About a quarter of our Nation's population of veterans are potentially eligible for VA benefits and services. A quarter of our total Nation's population are potentially eligible for veterans benefits and services. This legislation will help reach out to those who are eligible and ensure the accuracy and completeness of their benefit claims. And under this legislation, the Secretary of the VA would be authorized to provide grants and assistance to State veterans agencies and to our county veterans service officers, those who are on the front lines every day working in counties throughout this entire Nation, to help that veteran when he or she walks through the door.

These activities would allow veterans and their families to be able to get the assistance they need in the development and the submittal of their benefits claims. The Secretary would direct grants to States with large and growing populations of veterans in order to increase the outreach where it is most needed. Grants could be used for education and training of State and county officials to gain accreditation for continuing education. The Secretary would also be required to ensure that the coordination of outreach activities occurred within the Department of the VA.

This bill would authorize \$25 million annually, which is an average of \$1 per veteran, for fiscal years 2011 through 2013 to improve outreach to veterans. That, I believe, is not too much to ask. That is something we can certainly afford to do, and it is the least we can do to reach out to those who put their very lives on the line for our great Nation.

This legislation is supported by the National Association of County Veterans Service Officers, which is officially recognized by the Secretary of Veterans Affairs for "the purpose of preparation, presentation, and prosecution of claims."

This bill has also been endorsed by the American Legion, the Veterans of Foreign Wars, the Military Officers Association of America, the Paralyzed Veterans Association of America, and the National Organization for Veterans Advocacy.

As Veterans Day approaches in just a few days, it is important that we, as a Congress, demonstrate to our Nation's veterans our commitment to provide them with the benefits they deserve.

May God bless those who have served our country.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to applaud the actions of the House of Representatives in addressing the unique needs of our veterans and armed service members. Whether returning home from a tour of duty, or deploying for the first time, it is our responsibility to ensure these men and women are cared for when they return home. Through extensive educational outreach, additional grants, scholarships, and extending protections to today's veterans, we can provide these men and women with the tools they need to foster economic growth. As a member



of the House Armed Services Committee, I strongly support H.R. 3949, which further protects our nation's veterans. I urge my colleagues to support this important bill.

Mr. Speaker, our nation's economy was once empowered by our returning war heroes whose successful small businesses fueled the country's eventual rise as an economic superpower. We are now witnessing the emergence of another great generation. It would be careless of us not to grant this generation the same opportunities to succeed. This can only be done through further investment in small business development.

This bill would expand contract termination provisions for deployed servicemembers, prevent additional fees for early termination, expand assistance and outreach to states to inform veterans about benefits and programs for which they are eligible.

I urge my colleagues to help veterans help themselves.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. WALZ) that the House suspend the rules and pass the bill, H.R. 3949, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RECOGNIZING 60TH ANNIVERSARY OF BERLIN AIRLIFT'S SUCCESS

Mr. WALZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 398) recognizing the 60th anniversary of the Berlin Airlift's success.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 398

Whereas pursuant to mutual agreement among allies concluded at the Potsdam Conference following the unconditional surrender of Adolf Hitler's National Socialist (NAZI) regime on May 8, 1945, the German capital of Berlin was divided into four zones of military occupation controlled by the United States, the Soviet Union, Great Britain, and France;

Whereas in a bid to maintain leverage over Germany by perpetuating its economic instability, and in opposition to the United States' Marshall Plan and the allies' proposal for a new, more stable German currency, then Soviet Dictator Joseph Stalin ordered a blockade of Berlin on June 22, 1948;

Whereas Stalin's blockade prohibited all ground access to the city, blocking the people of Berlin;

Whereas three 20-mile-wide free air corridors had been agreed on November 30, 1945, to provide unfettered access to Berlin along accepted flight routes;

Whereas the Soviet regime insisted that the Western Allies allow food and medicine to be supplied to these sectors only through

Soviet-controlled East Germany, effectively allowing Soviet control over West Berlin;

Whereas President Harry S. Truman ordered the stationing of U.S. B-29 Superfortresses at British airfields on June 28, 1948;

Whereas Britain's Foreign Minister Ernest Brevin, at the suggestion of Commander Sir Brian Robertson, proposed employing a military airlift as an alternative to an armed convoy through the Soviet sector to provide humanitarian relief to Berlin's traumatized and beleaguered population;

Whereas General Lucius Clay, then United States military governor of Germany, and Major General Curtis LeMay, Commanding General of the United States Air Force in Europe, requested Douglas C-54 Skymasters, the largest transport plane available to the United States Air Force, to help supply the colossal strategic air mission;

Whereas the first Skymasters arrived at Rhein-Main Air Base on June 28, 1948, and were immediately loaded to begin Operation Vittles to convey supplies to Berlin;

Whereas the Soviet regime publically derided the airlift, announcing that it would be impossible to carry out and maintain such an operation, characterizing the mission in the East German press as, "the futile attempts of the Americans to save face and to maintain their untenable position in Berlin";

Whereas Australia, South Africa, and New Zealand joined Great Britain and the United States in what became the largest humanitarian operation ever undertaken by the United States Air Force;

Whereas Lt. General William Turner, honored in the Air Cargo Hall of Fame for his tactical brilliance as commander of the Berlin Airlift, was called upon to lead the Berlin Airlift and worked tirelessly to ensure that the aircraft he commanded supplied the besieged city of Berlin with essential supplies including coal, heating oil, medicine, and food from July 28, 1948, through the official conclusion of the mission on September 30, 1949;

Whereas the Berlin Airlift resulted in the total delivery of 1,783,573 tons of supplies by the United States and 541,937 tons of supplies totaling 2,300,000 tons delivered on 277,569 total flights to Berlin;

Whereas the United States Air Force's C-47s and C-54s alone logged 92,000,000 miles in the Berlin Airlift;

Whereas the commitment of the United States to aid the besieged people of Berlin resulted in the tragic loss of 101 allied personnel, of which 31 were United States casualties;

Whereas the following Air Force units, aided by the United States Navy and Army, are known to have contributed to the success of the Berlin Airlift—

- (1) HHS1 Air Life Task Force;
- (2) 10 Troop Carrier Squadron;
- (3) 11 Troop Carrier Squadron;
- (4) 12 Troop Carrier Squadron;
- (5) 14 Troop Carrier Squadron;
- (6) 15 Troop Carrier Squadron;
- (7) 29 Troop Carrier Squadron;
- (8) 39 Troop Carrier Squadron;
- (9) 40 Troop Carrier Squadron;
- (10) 41 Troop Carrier Squadron;
- (11) 47 Troop Carrier Squadron;
- (12) 48 Troop Carrier Squadron;
- (13) 53 Troop Carrier Squadron;
- (14) HHS 60 Troop Carrier Wing;
- (15) HQ 60 Troop Carrier Group;
- (16) 60 Troop Carrier Group;
- (17) HQ60 Maintenance Support Group;
- (18) 60 Maintenance Squadron;
- (19) 60 Supply Squadron;
- (20) 60 FIN DIS UT;
- (21) 60 COMM Squadron;
- (22) 60A police Squadron;
- (23) 60 Food Service Squadron;

- (24) 60 Install SQ;
- (25) 60 Motor Vehicle Squadron;
- (26) 60 Base Services Squadron;
- (27) 60 Medical Group;
- (28) HHS A B Group;
- (29) HQ61 Troop Carrier Group;
- (30) HQ313 Troop Carrier Group;
- (31) HHS61 Troop Carrier Wing;
- (32) HQ317 Troop Carrier Group;
- (33) HQ317 Maintenance Supply Group;
- (34) 317 Maintenance Squadron;
- (35) 317 Supply Squadron;
- (36) HHS 317 A B Group;
- (37) 317 Communications Squadron;
- (38) 317A Police Squadron;
- (39) 317 Food Services Squadron;
- (40) 317 Installation Squadron;
- (41) 317 Motor Vehicle Squadron;
- (42) 317 Base Services Squadron;
- (43) 317 FIN DIS UT;
- (44) 317 Medical Group;
- (45) 330 Troop Carrier Squadron;
- (46) 331 Troop Carrier Squadron;
- (47) 332 Troop Carrier Squadron;
- (48) 333 Troop Carrier Squadron;
- (49) HHS 513 A B Group;
- (50) HQ 513 Troop Carrier Group;
- (51) 513 Troop Carrier Group;
- (52) HQ 513 Maintenance Sup Group;
- (53) 513 Maintenance Squadron;
- (54) 513 Supply Squadron;
- (55) 513 Communications Squadron;
- (56) 513A Police Squadron;
- (57) 513 Food Service Squadron;
- (58) 513 Install Squadron;
- (59) 513 Motor Vehicle Squadron;
- (60) 513 Base Services Squadron;
- (61) 513 Finance Distribution Unit;
- (62) 513 Medical Group;
- (63) HHS 7350 A B Group;
- (64) 7351 Maintenance Supply Squadron;
- (65) 7352 AF Police Squadron;
- (66) 7353 Installation Squadron; and
- (67) HHS 7497A Lift Wing;

Whereas Col. Gail Halvorsen, also known as the "Candy Bomber" and recipient of the 1948 Cheney Award, distinguished himself by launching Operation Little Vittles, a unanimous effort that parachuted over 3 tons of candy to the children of Berlin, including children in the Soviet sector;

Whereas in the face of the massive allied goodwill offensive, the Soviets capitulated and lifted the blockade on May 12, 1949;

Whereas the Berlin Airlift consolidated the successful use of air transport in military operations and led to the creation of the Air Mobility Command;

Whereas German Chancellor Konrad Adenauer noted that the Berlin Airlift "was a truly visible sign that America recognized her duty to be the leader of free nations and wanted to fulfill it."; and

Whereas the determined actions of the Berlin Airlift sent a clear message to the Soviet Union that the United States held an unquestionable commitment and unwavering resolve to prevent tyranny in Europe: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the 60th anniversary of the Berlin Airlift, and commends all of the operation's United States veterans for their valor and determination to represent the noble ideals that thwarted the fall of the Iron Curtain over Berlin's western strongholds;

(2) honors the veterans of the Berlin Airlift who lost their lives to bring the means of survival and sustenance to civilians under siege in the service to their country;

(3) commends the spirit of collaboration which characterized this united allied operation involving both military and civilian aircraft and crews; and

(4) honors the men and women of the United States military whose continued dedication to the ideals of integrity, compassion, and liberty upholds the honorable legacy of the United States Armed Forces, as illustrated by the Berlin Airlift, and renews